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Draft budget proposals of the International Tribunal for the Law of the Sea for 2005-2006

Prepared by the Tribunal*

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* The present document was submitted after the deadline owing to consultations with the Tribunal that were required to finalize the document.

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Introduction

1. The seventeenth session of the Tribunal was held from 22 March to 2 April 2004. During the session, the Tribunal considered and approved the budget proposals for 2005-2006. For the first time, the budget has been prepared in euros and covers a biennial financial period in accordance with the Financial Regulations of the Tribunal, which were adopted at the thirteenth Meeting of States Parties in June 2003.

2. In line with the established practice, the budgetary requirements of the Tribunal for 2005-2006 are based on: (a) the expected volume of judicial work; (b) the Tribunal's administrative work; and (c) the operation of the Tribunal's premises.

3. Any consideration of the budget resources necessary for the work programme and administration of the Tribunal also needs to take account of the fact that the Tribunal, as a judicial organ established under the United Nations Convention on the Law of the Sea, is responsible for its own administrative and financial management.

4. During 2003, the *Case concerning Land Reclamation by Singapore in and around the Straits of Johor* (*Malaysia* v. *Singapore*), *Provisional Measures*, was submitted to the Tribunal. The proceedings in this case were instituted on 5 September 2003 and the Tribunal delivered its order on 8 October 2003. The proceedings were conducted in conjunction with the sixteenth session of the Tribunal, which took place from 8 to 19 September 2003. The *Case concerning the Conservation and Sustainable Exploitation* of *Swordfish Stocks* in the *South-Eastern Pacific Ocean* (*Chile/European Community*), which was submitted to a special chamber of the Tribunal in 2000, is still pending. Proceedings in the case were postponed by an order of the President of the Special Chamber dated 16 December 2003.

5. The ninth Meeting of States Parties established a contingency provision for case-related expenses. Pursuant to the decision of the thirteenth Meeting of States Parties, this part of the budget was renamed "case-related costs" (SPLOS/96, para. 2). In line with past practice, the budget estimates in the 2005-2006 budget proposals envisage the possibility of two urgent proceedings each year. Provision has been made for six weeks of meetings, including the time for hearings and deliberations and the rendering of orders and judgements, in each calendar year (see Part III).

6. The budgetary arrangements first established for the Tribunal were based on the determination of the Meeting of States Parties that there should be an evolutionary approach, optimizing efficiency. On the basis of the workload experienced in previous years, the number of staff has increased from 21 in 1996 to 37 in 2003. There is no request for any additional posts in 2005-2006.

7. Pursuant to the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), budgetary appropriations in respect of established posts have been calculated on the basis of gross salary. Assessments of the contributions of States Parties have included a credit in respect of the amount of staff assessment relating thereto. Consequently, separate budget lines, indicating the gross salary and the staff assessment credit, have been established in the budget proposals.

8. The thirteenth Meeting of States Parties requested the Tribunal to consider whether assessment of common staff costs should be based on actual costs rather than using the United Nations applicable standard costs (see SPLOS/96, para. 5). Accordingly, with respect to common staff costs, budget proposals for 2005–2006 have included a comparison between the two possible methods and the figures obtained on the basis of each method.

9. In preparing the budget proposals for 2005-2006, the Tribunal has applied the principle of zero growth in respect of expenditures whenever possible. However, the Tribunal is constrained to request an increase for reasons beyond its control, as follows:

(a) Increases of the standard costs for staff and common staff costs as determined by the United Nations Budget Division lead to a net increase of €283,150 per annum;

(b) In 2005 the terms of office will expire for seven judges, who will be entitled to a pension beginning in October 2005. A provision of €370,400 has accordingly been made to meet the obligations for 15 months of the financial period 2005-2006 for seven judges. This leads to an increase of €176,750 per annum. The amount that will be utilized to meet the actual needs of the Tribunal will depend on the results of the election in 2005. Any appropriations not utilized will be surrendered in accordance with the Financial Regulations (see paras. 35-39 below and annex VIII);

(c) Expenditure incurred in euros has been adjusted for inflation. This gives rise to an increase of €29,000 per annum. An inflation rate of 1.3 per cent, as determined by the German Statistical Office for 2003 has been taken into account in respect of the following items:

- Travel to sessions and meetings
- Official travel
- Maintenance of premises (utilities)
- Rental and maintenance of equipment
- Training
- Miscellaneous services and charges (including bank charges)
- Library.

10. The thirteenth Meeting of States Parties requested the Tribunal to negotiate bilateral agreements concerning tax reimbursements by States that levy national taxes on remuneration paid by the Tribunal and, if necessary, to include in its budget proposals for 2005-2006 a budget line to reimburse members and officials of the Tribunal for national taxes paid in respect of remuneration paid by the Tribunal (SPLOS/98, paragraphs (d) and (e)). Pending the results of such negotiations, a new budget line in the section "staff costs" has been created for the reimbursement of national taxes paid by officials of the Tribunal. A provision has also been included in the budget line "common costs" for the reimbursement of national taxes paid by members of the Tribunal. A total amount of €35,000 per annum has been proposed (€20,000 for one judge and €15,000 for two staff members). This matter is the subject of a separate document (ITLOS/WP.68).

11. In addition, based on the performance in 2003, increases amounting to €72,300 have also been envisaged to meet the needs of the Tribunal in the budget lines "temporary assistance for meetings" and "overtime" under "case-related costs".

12. Based on the experience gained so far, it has been possible to plan reductions amounting to €53,850 in the following budget lines: communications; purchase of equipment; supplies and materials; general temporary assistance; and external printing and binding.

13. In accordance with the Tribunal's Financial Regulations, the proposed budget for the financial period 2005-2006 is presented in euros. However, it should be noted that the United States dollar remains the reference currency for some budget lines, such as judges' allowances, the judges' pension scheme and representation allowance. The United States dollar is also used as the reference currency for the budget estimates of staff costs (Professional category and above), which are issued by the United Nations. Accordingly, these budget lines have been affected by exchange rate fluctuations between the United States dollar and the euro. This has resulted in a decrease of €257,500 per annum in judges' annual and special allowances and representation allowance.

14. Taking into account the increases proposed in paragraphs 9 to 11 above, totalling €596,200 per annum, as well as the decreases referred to in paragraphs 12 and 13 above, amounting to €311,350, a total increase of €284,850 is envisaged for each calendar year.

15. The eighth Meeting of States Parties, in 1998, authorized the establishment of a Working Capital Fund to enable the Tribunal to deal with shortfalls in cash, particularly when cases are submitted, and to ensure that the financial operations can be undertaken in accordance with the normal requirements of the applicable regulations and practices. The thirteenth Meeting of States Parties decided that no further appropriations should be made until the Fund had been reduced to 8 per cent of the overall budget of the Tribunal (SPLOS/103, para. 49). At present the Fund stands at $650,000 (see part IV). In addition, pursuant to the decision adopted by the Meeting of States Parties in 2002 (SPLOS/L.28), an appropriation of $500,000 was made to the Fund, on an exceptional basis, in order to provide the Tribunal with the necessary financial means to consider cases where the expenditure could not be met from case-related costs or from transfer of funds between appropriation sections. It is not proposed therefore to make an appropriation to the Working Capital Fund in 2005-2006.

16. For the purpose of identifying changes between the 2004 budget, which was presented in United States dollars, and the 2005-2006 budget, which has been prepared in euros, the amounts in the budget lines of the 2004 budget have been converted into euros using the United States dollar/euro exchange rate as at March 2003 (0.929), when the draft budget proposals for 2004 were prepared and adopted by the Tribunal. The amounts converted into euros were then rounded for the purpose of budgeting. Furthermore, the amount in each budget line of the 2005-2006 budget has been divided according to the expenses relating to the year concerned for easy comparison with the corresponding budget line of the 2004 budget. The differences are shown in a separate column (annual decrease/increase) of the annex I table.

17. The budget proposals are based on the following parameters:

(a) The United States dollar/euro exchange rate of 0.804 as fixed by the United Nations in March 2004;

(b) The daily subsistence allowance (DSA) for Hamburg, Germany, in March 2004 amounts to €211, as fixed by the International Civil Service Commission (ICSC);

(c) Estimates relating to staff costs are based on standard costs issued by the United Nations (version 12, applicable to The Hague, 2005).

18. A table of the proposed budget of the Tribunal for 2005-2006 is contained in annex I to the present document. The table also includes the approved budget for the financial periods 2001 to 2004 and performance records for the financial periods 2001 to 2003.

Part I
Recurrent expenditure

19. The budget proposals for the 2005-2006 biennium envisage the convening of meetings of the Tribunal for a total of 10 weeks during each calendar year, in line with the level approved by the Meeting of States Parties in the past five years.

20. As noted in paragraph 5 above, six weeks of meetings each year are specifically devoted to proceedings in cases submitted to the Tribunal. In accordance with the decision of the Meeting of States Parties, expenses for these meetings are included in a separate part of the budget as provision for "case-related costs".

21. The Tribunal will also hold four weeks of meetings during each calendar year to deal with legal and judicial matters as well as administrative and organizational issues related to the discharge of its judicial functions. One two-week session will be held in February/March and another in September/October of each year. The legal and judicial matters for consideration at the sessions include a review of the Rules and judicial procedures of the Tribunal. This is undertaken both in the Committee on Rules and Judicial Practice under the chairmanship of the President of the Tribunal and in the plenary. Some of the main issues under consideration are: the costs to be borne by parties to a case other than States Parties; format for the List of Cases; secrecy of deliberations; maintenance of records of deliberations; requests for advisory opinions pursuant to article 138 of the Rules of the Tribunal; and bonds and other financial security to be posted by arrested vessels under article 292 of the Convention. The administrative and organizational matters dealt with at the sessions include: appointment of staff; supervision of the work and organization of the Registry; maintenance of the premises and related facilities of the Tribunal; and preparation of the draft budget, the annual report and other proposals for submission to the Meeting of States Parties. For the efficient consideration of these issues, the Tribunal has established special committees composed of judges to give detailed consideration to various matters referred to them and present recommendations for approval by the plenary. The Committees are: Committee on Budget and Finance, Committee on Staff and Administration, Committee on Buildings and Electronic Systems and Committee on Library and Publications.

22. Whenever possible, the Tribunal arranges to hold the sessions in conjunction with proceedings in cases submitted to the Tribunal.

A. Judges

23. The second Meeting of States Parties decided that the level of remuneration of a judge of the International Court of Justice would be the comparator (SPLOS/4). Based on this comparator, the maximum annual remuneration of a judge, effective 1 January 2000, is fixed at $160,000.

24. The fourth Meeting of States Parties decided that the annual remuneration of judges other than the President would consist of three elements (see SPLOS/8, and SPLOS/WP.3/Rev.1):

(a) An annual allowance, payable monthly. This is one third of the maximum annual remuneration (based on the current level of remuneration);

(b) A special allowance for each day that a judge is engaged on the business of the Tribunal;

(c) A subsistence allowance for each day that a judge is present at the seat of the Tribunal during meetings of the Tribunal.

1. Annual allowances

25. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of $160,000 per annum. In addition, he is paid a special allowance of $15,000 per annum. The President is not entitled to a special allowance or subsistence allowance for attendance at meetings of the Tribunal.

26. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration ($53,333.33). A decrease of €207,800 in the total amount proposed under this budget line is entirely due to currency fluctuations between the United States dollar and the euro.

2. Special allowances

27. Judges are paid a special allowance for each day that they are engaged on the business of the Tribunal during sessions of the Tribunal. A subsistence allowance is also paid for each day that a judge is present at the seat of the Tribunal during sessions of the Tribunal.

28. Judges may be paid a special allowance for preparatory work undertaken by them before meetings of the Tribunal. A subsistence allowance is also payable to judges when they carry out preparatory Tribunal-related work away from their normal place of residence.

29. In respect of meetings for a total of 10 weeks for each year, it is proposed, as in the past, that provision be made for a special allowance for preparatory work for a total of 45 days each for 20 judges, and a subsistence allowance for preparatory work for a total of 24.5 days each for up to 10 judges. Payment of these allowances will be subject to authorization by the President.

30. Following the decrease in the DSA rate for Hamburg, as determined by the ICSC, with effect from 1 June 2003, the new DSA rate stands at €211 instead of

€216 used for the 2004 budget. This, together with the exchange rate fluctuations, has resulted in a total decrease of €78,800 (€24,200 under Part I, "Recurrent expenditure", and €54,600 under Part III, "Case-related costs").

31. The Vice-President receives a special allowance for each day on which he acts as President. The rate for this allowance is fixed at $94 per day. During his presence in Hamburg, the Vice-President is entitled to allowances of judges engaged on the business of the Tribunal. A total of $9,400 (€7,600) is envisaged for the allowances for the Vice-President.

32. The budgetary estimates for the remuneration of judges for 2005-2006 have been based on the number of meetings, as set out in annexes V, VI and VII (A and B).

33. As in previous years, appropriations relating to cases will be placed under "Case-related costs" (formerly "contingency"), which will be only utilized for case-related expenses (see Part III and annex VII, A and B).

3. Travel of judges to meetings

34. The amount proposed to cover the travel costs of judges to attend sessions of the Tribunal over the financial period 2005-2006 is €246,300. The sum of €123,150, representing the amount per annum, is for travel of 20 judges each year to two sessions not necessarily related to proceedings in cases. This corresponds to the amount approved for 2004, adjusted to take account of the inflation rate.

4. Judges' pension scheme

35. The ninth Meeting of States Parties approved the Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea (SPLOS/47).

36. The Tribunal is currently under an obligation to pay pensions for two former judges and two surviving spouses of judges. A provision of $67,700 (€62,900) was approved for 2004 to meet this obligation and the continued payment of these pensions (€109,000) is required in 2005-2006.

37. In 2005, the terms of office of seven judges, including two former presidents, will expire. A judge who is not re-elected will be entitled to a pension beginning in October 2005. In accordance with the previous procedures approved by the Meeting of States Parties in 1999 and 2002, a provision of €370,400 is proposed to meet the maximum possible obligations for 15 months of the financial period 2005-2006. The amount that will be utilized to meet the actual needs of the Tribunal will depend on the results of the election in 2005. Any part of the proposed appropriations not utilized will be surrendered in accordance with the Financial Regulations.

38. A total amount of €479,300 has been proposed for 2005-2006 in respect of pension payments. This represents an increase of €176,750 per annum, after exchange rate adjustments, compared to the provision made for 2004 (see annex VIII).

5. Common costs

39. It is proposed to create a new budget line entitled "Common costs", under "Section 1.A: Judges", which includes the insurance scheme for work-related accidents and the reimbursement of national taxes. It is also proposed to place

common costs in respect of the President (which have so far been appropriated under "Annual allowances" of judges) under this new budget line (see annex VI).

40. The thirteenth Meeting of States Parties decided that provision should be made to cover the liability of the Tribunal in the event of work-related accidents that might affect judges of the Tribunal. For this purpose, an amount of $6,000 (€5,600) was approved in the 2004 budget, and the same amount per annum has been envisaged for 2005-2006.

41. Pursuant to the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (e)), a provision of €20,000 per annum has been made to reimburse one member of the Tribunal for national taxes levied on his remuneration paid by the Tribunal in 2005-2006.

42. A total amount of €59,750 per annum has been proposed for 2005-2006 under this new budget line.

B. Staff costs[1]

43. The Registry is responsible for the entire administration of the Tribunal. In particular, the Registry provides the full range of support and assistance required by the Tribunal for dealing with cases submitted to it, including legal research, preparation of documentation and notices for the judges, the parties in the cases and other interested States and organizations. It also provides all administrative and logistical support for the travel of judges to and from Hamburg on the business of the Tribunal.

44. The Registry is also responsible for maintaining court facilities of the Tribunal and the preparation and distribution of case records, publications and press releases.

45. The Registry is further responsible for the management of the Tribunal's finances, including: the execution of the budget and the collection of contributions to the budget; staff and personnel matters; the operation and maintenance of the premises of the Tribunal, including security matters; providing library services and maintaining archives; and the operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's web site.

46. Finally, the Registry maintains relations with the United Nations and other international organizations as well as with relevant departments and agencies of the Government of the host country and the Governments of States Parties.

47. These responsibilities entail heavy demands on the staff of the Registry. The Tribunal is conscious of the need to ensure cost-efficiency in the operation of the Registry and it continues to maintain an evolutionary approach in requesting resources for the Registry.

1. Established posts

48. The Tribunal has been operational for more than seven years. In order to adapt existing posts to the evolving needs of the Tribunal, taking into account the experience of staff members, a grade classification of posts in the General Service category was carried out in 2002. The classification, which was conducted on the basis of the report of an expert consultant recommended by the United Nations,

resulted in changes of titles and levels of certain posts in the General Service category, which were reported to the thirteenth Meeting of States Parties.

49. It is proposed to revise the grade of the post of Press Assistant, currently G-7, to the Professional level (P-2). The position requires, inter alia, an ability to present complex aspects of cases to the media, manage the press office of the Tribunal, maintain and update its web site and administer its internship programme. The proposed upgrading of the position would result in an increase of €890 in net salary and common staff costs.

50. The post requirements for 2005-2006 for staff in the Professional levels are set out in annex II. The post requirements for 2005-2006 for the staff in General Service levels are set out in annex III.

51. Budgetary estimates relating to staff costs are based on standard costs issued by the United Nations (United Nations standard salary costs, version 12, applicable to The Hague for 2005). Accordingly, it is proposed to appropriate €5,661,500 for the established posts in 2005-2006. After deduction of the amount of staff assessment, this represents a net increase of €252,600 per annum compared to the amount appropriated for 2004.

2. Staff assessment/credit

52. In accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), the 2005-2006 budget proposals contain a separate budget line for a credit in respect of the amount of staff assessment, which is included in the costs for established posts. Accordingly, the contributions of States Parties will be assessed on the basis of net salaries.

3. Reimbursement of national taxes

53. Pursuant to the same decision (SPLOS/98, para. (e)), a new budget line to reimburse officials of the Tribunal for national taxes levied on their remuneration paid by the Tribunal has been included in the proposed 2005-2006 budget. At present two staff members are subject to income tax in the country of which they are nationals. On the basis of their tax liability in previous years, it is proposed to appropriate an amount of €15,000 per annum.

4. Common staff costs [2]

54. The thirteenth Meeting of States Parties requested the Tribunal to review the method used to assess common staff costs in order to reflect more accurately the actual costs involved, and to consider whether assessment of common staff costs should be based on actual costs rather than the United Nations applicable standard costs (see SPLOS/96, para. 5).

55. In this respect, it may be recalled that the Tribunal, as part of the United Nations common system, has, since 1996, followed United Nations practice in respect of budgeting common staff costs. These costs arise in connection with the allowances and benefits of staff members and are calculated by applying a certain percentage to the remuneration of staff members. The Programme Planning and Budget Division of the United Nations is responsible for determining different percentages in respect of common staff costs to be applied to various duty stations around the world.

56. As the United Nations has not so far determined a separate rate applicable to Hamburg, the Tribunal has used The Hague as a comparator for the purpose of budgeting common staff costs with respect to the budgets of the Tribunal for the financial periods 1996/1997 to 2004.

57. Considering the small size of its Registry, the practice of the Tribunal since 1996 has been to apply the percentage applicable to The Hague to the gross salary in order to meet the actual needs of the Tribunal. This is reflected in the performances of this budget line in the past financial periods, as indicated below:

Financial period	*Established posts (gross salary) in United States $*	*Common staff costs (performance) in United States $*	*Common staff costs as percentage of established posts*	*United Nations percentage applicable to The Hague*
1996/1997	1 438 273.17	763 753.10	53.1	
1998	1 579 330.80	442 141.23	27.99	34.8
1999	2 130 094.00	646 498.00	30.35	33.4
2000	1 895 179.00	622 340.00	32.84	33.4
2001	2 033 145.00	750 283.00	36.9	33.4
2002	2 190 650.00	833 382.00	38.04	35.4
2003	2 748 163.00	880 735.00	32.05	35.4
2004				41.14
2005				41.14

58. If it is decided to continue the Tribunal's practice concerning the budgeting of "Common staff costs" for 2005-2006, that is, applying 41.14 per cent to the gross salary (€5,661,500), a provision of €2,329,100 for two years (€1,164,550 per year) should be envisaged for this budget line. When this percentage is to be applied to the net salary in accordance with the United Nations practice, however, a provision of €896,400 per annum should be made under this budget line.

59. Another approach for assessing common staff costs is to base estimates on projected actual requirements. In order to project the Tribunal's actual requirements for 2005 and 2006, the performance in 2003 was used as a reference, taking into account expected increases in the future (for example, the filling of vacancies). On that basis, common staff costs for 2005-2006 have been estimated at €927,938 (see annex X).

60. It appears that there is no major difference between the figures obtained by projecting actual costs and the figures resulting from the percentage as applied to The Hague. The percentage (41.14 per cent) seems to reflect the current needs of the Tribunal. For this reason, it is proposed for the Tribunal to follow the United Nations practice and to calculate the amount of common costs on the basis of the percentage fixed by the United Nations with respect to the financial period 2005-2006. This matter could be reviewed in 2006 by the Meeting of States Parties on the basis of the performance for 2004 and 2005.

61. Accordingly, an amount of €896,400 is proposed for this budget line. This represents an increase of €30,500 per annum compared to the appropriation approved for 2004.

5. Overtime

62. The nature of the work of the Tribunal makes it unavoidable that some staff members should be required to work beyond normal working hours, particularly during meetings. Overtime payments cannot always be replaced by compensatory time off, particularly in a small secretariat. The provision per annum requested for 2005-2006 amounts to €19,500. This represents the same amount per annum as the appropriation approved for 2004.

6. Temporary assistance for meetings

63. In line with the practice of other international judicial institutions, the Tribunal does not employ the personnel needed for conference services on a permanent basis. This provision covers emoluments and costs of travel of interpreters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings not directly related to cases. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel are readily available at the seat of the Tribunal, particularly translators and interpreters.

64. On the basis of the performance in 2003, the same amount of €106,700 per annum is proposed for 2005-2006 as for 2004.

7. General temporary assistance

65. The Tribunal employs temporary assistance personnel to deal with peak workloads and to accommodate other specific requirements. General temporary assistance is predominantly used for translating, editing, photocopying and disseminating documents and for providing assistance to conference staff. On the basis of experience to date, the total provision proposed for general temporary assistance for 2005-2006 is €133,100, which represents a decrease of €26,350 per annum compared to the appropriation approved for 2004.

8. Training

66. Training of staff is required in the use of the computer network and specialized software, which is continually being updated for word-processing and database functions, including bibliographic and other information systems. In addition, language training is also required to promote proficiency in both official languages of the Tribunal as well as efficiency in relations between the Tribunal and the host country. Since the Tribunal is part of the United Nations common system, staff training is essential to ensure compliance with its norms and practices. Where appropriate, training is also provided to judges. A provision of €33,150 per annum is proposed for 2005-2006. This is the same as the amount approved for 2004, with a 1.3 per cent adjustment for inflation.

C. Representation allowance

67. A representation allowance is payable to the President, the Registrar and the Deputy Registrar in accordance with the practice of the United Nations. The total amount proposed for 2005-2006 is €13,700.

D. Official travel

68. This provision is to cover the costs of travel of the President and, as necessary, other judges and the Registrar and staff on official business of the Tribunal. The appropriation proposed for official travel in 2005-2006 is €172,200. This represents the same amount as the appropriation approved for 2004 with a 1.3 per cent adjustment for inflation.

E. Hospitality

69. This provision is to cover the hospitality requirements of the Tribunal. The amount proposed for 2005-2006 is €13,200, which represents the same level per annum compared to the appropriation approved for 2004.

F. Operating expenditures

1. Maintenance of premises, including security

70. The Tribunal has to operate a large modern building with complicated equipment. Under the Premises Agreement, the technical equipment provided with the building (security, heating and cooling system, courtroom technology, electrical installations, elevators, sprinkler system, ventilation, fire alarm system, electrically operated doors, etc.) must be maintained in accordance with the highest standards applicable in the host country. For this purpose, following the move to the permanent premises, 39 maintenance contracts were taken over by the Registry. These contracts are kept under review and renegotiated regularly. It is anticipated that the overall cost of maintenance contracts for the building will remain constant in 2005 and 2006 with a 1.3 per cent adjustment for inflation.

71. Since November 2000, when it moved into its permanent premises, the Tribunal has had a service contract with Thyssen Krupp Hiserve GmbH for the maintenance of the premises. The contract includes the provision of services relating to the operation, management and maintenance of the premises, such as cleaning, snow and ice removal, waste disposal, work related to the supply of water and energy and gardening.

72. In addition to the facilities management contract, maintenance of the building requires utilities (electricity, gas, water) as well as supplies and insurance. It is anticipated that the overall cost of utilities will remain the same as provided in the budget 2004. Minor repairs, as provided for in the Premises Agreement with the host country, have to be carried out from time to time by the Tribunal, and security services are also required.

73. An amount of €1,953,000 is proposed for 2005-2006. This is the same per annum as the amount approved for 2004 with a 1.3 per cent adjustment for inflation. The details of the expenditure relating to the maintenance of premises are shown in annex IX.

2. Rental and maintenance of equipment

74. It has proved more economical to rent or lease items of equipment than to purchase them. The costs of maintenance resulting from outright purchases are thus

avoided. On the basis of the experience gained, the total amount proposed under this item for 2005-2006 is €332,500. This is the same per annum as the amount approved for 2004 with a 1.3 per cent adjustment for inflation.

3. Communications

75. The expenses for the communications of the Tribunal include: the cost of postage and courier services; local and long-distance telephone calls; facsimile services and other electronic means of communication, such as e-mail; audio (and possibly video) services; Internet connections; and access to databases.

76. The provision for communications includes the cost of enabling the Registry to communicate with judges at their homes by means of telephone, facsimile and network facilities. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a web site, e-mail and Internet connections for the premises and through them for judges at their homes. In light of the experience gained, an amount of €91,350 per annum is proposed for 2005-2006. This represents a decrease of €4,850 compared to the appropriation approved for 2004.

4. Miscellaneous services and charges (including bank charges)

77. This provision is to cover the costs of miscellaneous services needed by the Tribunal where such costs may not appropriately be charged to any of the specific headings of the budget. It includes such items as bank charges and adjustments for currency fluctuations. An amount of €37,900 is proposed for 2005-2006. This is the same per annum as the amount approved for 2004 with a 1.3 per cent adjustment for inflation.

5. Supplies and materials

78. This provision is to cover the costs of office and other supplies, materials and services on the premises. Based on the experience gained so far, an amount of €57,350 per annum is proposed for 2005-2006, which represents a reduction of €3,050 compared to the appropriation approved for 2004.

6. Special services (external audit)

79. Under the new Financial Regulations of the Tribunal, the Meeting of States Parties will appoint the auditor with respect to the financial period 2005-2006 and the subsequent financial periods. The auditor may be an internationally recognized firm of auditors, an auditor-general or an official of a State Party with an equivalent title (regulation 12.1). Provision has been made to cover the expenditure relating to the different options available to the Meeting of States Parties with regard to the appointment of an auditor. The amount proposed for 2005-2006 is €32,800, which represents the same amount per annum as the appropriation level approved for 2004.

G. Library and related costs

80. The availability of quality library facilities at the Tribunal is indispensable for the effective operation of the Tribunal. The judges and the staff of the Registry, as well as States and entities that may appear as parties before the Tribunal, need to have at their disposal a comprehensive collection of literature on public international

law, the law of the sea, maritime law, commercial law, mining law and environmental law. Given the scope of the jurisdiction of the Tribunal, the Library should also include material on various scientific subjects which are closely connected with the work of the Tribunal.

1. Procurement of books and publications

81. The Library needs to collect publications that form the basis of a core collection in international law. The annual cost of acquiring such materials does not remain constant, particularly with respect to serial publications. In addition, the Library's publications come from all over the world and the associated costs, particularly shipping, are often quite significant. The Library has subscribed to various databases which provide important and timely access to certain types of scientific and legal information.

82. The same amount, after adjustment for inflation, as appropriated in the previous year should suffice to meet the above requirements. It is therefore proposed to appropriate a total of €227,400 under the 2005-2006 budget. This is the same per annum as the amount approved for 2004 with a 1.3 per cent adjustment for inflation.

2. External printing and binding

83. This provision is to cover the costs of producing and publishing documents and other material, such as judgements and pleadings of cases, and for widely disseminating other documentation such as the Yearbook, the Annual Report, the Rules of the Tribunal and Regulations. In addition, there is a need for the Library to bind monographs and journals. Based on the performance of previous years, the amount proposed for 2005-2006 is €89,600. This represents a reduction of €6,300 per annum in comparison with the appropriation approved for 2004.

Part II
Non-recurrent expenditure

A. Furniture and equipment

84. This provision is to cover the purchase of office equipment and furniture. The estimates of non-recurrent expenditure for 2005-2006 are based on the requirements of the Tribunal in terms of office equipment, equipment for archives, software (data-processing, storage and retrieval systems for archives, and legal matters, etc.), hardware and maintenance and development of the web site. Account is also taken of the need to replace obsolete equipment.

1. Purchase of equipment

85. The thirteenth Meeting of States Parties approved the amount of €88,300 for the purchase of equipment for 2004. In light of the experience gained, an amount of €75,000 per annum is proposed for 2005-2006, which represents a decrease of €13,300 compared to the appropriation approved for 2004.

2. Purchase of special equipment

86. No appropriation has been proposed under this budget line.

Part III
Case-related costs

87. The ninth Meeting of States Parties agreed to establish a "contingency" provision for case-related expenses. Pursuant to the decision of the thirteenth Meeting of States Parties, this part of the budget was renamed "Case-related costs". In accordance with the practice in previous years, costs for six weeks of meetings per year, and prorated related costs of hearings, deliberations and rendering of orders and judgements, are again proposed for inclusion in case-related costs. The associated costs, that is, travel of judges to deal with cases, temporary assistance for meetings and overtime, have also been included here. The provision is detailed in annex VII (A and B) and will only be used if the Tribunal meets to deal with cases.

A. Judges

1. Special allowances

88. A provision of €1,222,600 is proposed for 2005-2006 to cover special and subsistence allowances in relation to cases. Owing to the decrease in the DSA rate for Hamburg as well as the exchange rate fluctuations, the proposed amount represents a reduction of €54,600 per annum compared to the level approved for 2004.

2. Compensation to judges ad hoc

89. A provision of €72,900 has been included to meet the compensation of two judges ad hoc for three weeks of meeting time and two and a half weeks of preparatory work. This represents a decrease of €4,050 per annum compared to the appropriation approved for 2004, which results from the reduction in the DSA rate for Hamburg.

3. Travel of judges to meetings including judges ad hoc

90. This provision is to cover the travel costs of judges, including judges ad hoc, to meetings relating to cases. The sum of €129,750 per annum is proposed for 2005-2006. This figure represents an increase of €2,450 per annum compared to the appropriation approved for 2004, owing to a 1.3 per cent adjustment for inflation.

B. Staff costs

1. Temporary assistance for meetings

91. A separate provision is made for temporary assistance for meetings to cover expenses relating to cases. This provision covers emoluments and costs of travel of interpreters, verbatim reporters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings, including hearings and judicial deliberations. The provision also covers the costs of other conference-

related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel are readily available at the seat of the Tribunal, particularly translators, interpreters and verbatim reporters.

92. Budget appropriations for 2003 were based on two urgent proceedings. In 2003, one case was submitted to the Tribunal and 66 per cent of the appropriation was used. The performance shows the need for an increase in the amount of appropriation under this budget item. The increase is largely due to the increase in the costs for interpretation and translation services. Estimates for interpretation costs are based on the terms and conditions followed in the United Nations system, taking into account the need for interpretation services at short notice and during urgent proceedings. This requires work to be performed during week-ends, official holidays and night meetings. Estimates regarding the translation expenses take into account the volume of work that can be absorbed internally and an average number of pages that have to be sent for external translation. Regarding external translation, the Tribunal applies rates to contractual translation as determined by the United Nations Office at Geneva.

93. On the basis of this experience, an amount of €493,200 is envisaged for 2005-2006. This represents an increase of €62,800 per annum compared to the appropriation approved for 2004.

2. Overtime

94. It is unavoidable that many staff members are required to work beyond normal working hours, particularly during urgent proceedings. This is required in order for the Tribunal to be able to deliver a judgement within a short period of time. Overtime payments cannot always be replaced by compensatory time off, particularly in a small secretariat. An amount of €22,500 per annum is proposed for this budget line in light of the experience gained in 2003. This represents an increase of €9,500 per annum compared to the appropriation approved for 2004.

Part IV
Working Capital Fund

95. The eighth Meeting of States Parties in 1998 authorized the establishment of a working capital fund to ensure continuity of operation in the event of temporary shortfalls in funds and to provide the Tribunal with the necessary financial means to consider cases, in particular those involving urgent proceedings.

96. For the purposes of the Tribunal, an amount of approximately 8 per cent of its annual budget is considered appropriate and, on that basis, the Working Capital Fund of the Tribunal is considered adequate at the level of $ 650,000. This is in line with the practice followed by the United Nations, whose Working Capital Fund stands at around 8 per cent of its annual budget (4 per cent of its biennium budget).

97. At the end of 2001, the Working Capital Fund amounted to $650,000. However, the twelfth Meeting of States Parties in 2002 approved, on an exceptional basis, the appropriation of $500,000 (being part of the savings from the financial period 2001) to the Working Capital Fund of the Tribunal, in order to provide the Tribunal with the necessary financial means, in the event of temporary shortfalls in

funds, to consider cases where the expenditure could not be met from case-related costs or from transfer of funds between appropriation sections (SPLOS/L.28).

98. As a consequence of the total approved appropriations from previous budgets, the Working Capital Fund currently stands at $1,150,000.

99. The thirteenth Meeting of States Parties decided that no further appropriations to the Working Capital Fund should be made until the Fund had been reduced to 8 per cent of the overall budget of the Tribunal. Thus it is not proposed to make any further appropriation in 2005-2006.

Notes

[1] For the purposes of the estimates, the rates of remuneration and the entitlements of staff have been computed on the basis of the applicable rates of the United Nations common system, using the 2005 standard costs (version 12) applicable to The Hague.

[2] For the purposes of the estimates, the rates of remuneration and the entitlements of the staff have been computed on the basis of the applicable rates of the United Nations common system using the 2003 standard costs, version 13, applicable to The Hague.

Annex I

Budgets of the Tribunal 2001-2005/2006

Part/ sect.	Object of expenditure	Approved budget 2001	Performance 2001	Approved budget 2002	Performance 2002	Approved budget 2003	Performance 2003	Approved budget 2004	Approved budget 2004	Proposed budget 2005	Proposed budget 2006	Proposed budget 2005-2006	fn	Annual decrease/ increase[c]
		In United States dollars							In euros					
I	**Recurrent expenditure**													
A	**Judges**			**1 808 100**	**1 773 696**	**1 896 000**	**1 710 653**	**1 862 100**	**1 729 900**	**1 649 401**	**1 812 938**	**3 462 300**		**1 250**
1	Annual allowances	1 295 100	1 212 843	1 295 100	1 304 304	1 295 100	1 205 448	1 298 300	1 206 100	998 301	998 301	1 996 600		-207 800
2	Special allowances	329 500	294 774	318 000	306 599	310 100	333 608	360 100	334 500	310 295	310 295	620 600		-24 200
3	Travel to sessions	120 000	113 607	120 000	111 487	125 000	105 074	130 000	120 800	122 340	123 930	246 300		2 350
4	Pension scheme	15 400	35 259	75 000	51 306	165 800	66 523	67 700	62 900	128 545	350 792	479 300		176 750
5	Common costs							0	0	89 920	29 620	119 500		59 750
6	Insurance scheme							6 000	5 600	0	0	0		-5 600
B	**Staff costs**			**3 226 300**	**3 234 381**	**3 301 300**	**3 930 082**	**3 276 600**	**3 043 900**	**3 313 647**	**3 314 075**	**6 632 700**		**272 450**
1	Established posts	2 523 900	1 986 560	2 187 700	2 190 650	2 249 700	2 807 496	2 633 000	2 446 100	2 830 763	2 830 763	5 661 500	a	384 650
2	Staff assessment/credit							-559 400	-519 700	-651 765	-651 765	-1 303 500		-132 050
3	Reimbursement of national taxes									15 000	15 000	30 000		15 000
4	Common staff costs	841 300	750 283	729 200	799 056	771 600	880 735	932 100	865 900	896 440	896 440	1 792 900	b	30 550
5	Overtime	50 300	21 766	50 300	30 611	35 000	44 054	21 000	19 500	19 503	19 503	39 000		0
6	Temporary assistance for meetings	129 100	80 825	129 100	91 868	100 000	100 052	114 900	106 700	106 700	106 700	213 400		0
7	General temporary assistance	120 000	119 707	100 000	97 206	110 000	64 756	100 000	92 900	64 068	64 068	133 100		-26 350
8	Training	30 000	24 948	30 000	24 990	35 000	32 989	35 000	32 500	32 938	33 366	66 300		650
C	**Representation allowance**	7 600	6 772	**7 600**	**7 309**	**7 600**	**7 600**	**7 600**	**7 100**	**6 110**	**6 110**	**12 200**		**-1 000**
D	**Official travel**	94 700	58 924	**94 700**	**73 212**	**90 700**	**84 344**	**90 700**	**84 300**	**85 522**	**86 634**	**172 200**		**1 800**
E	**Hospitality**	7 100	6 865	**7 100**	**3 622**	**7 100**	**3 573**	**7 100**	**6 600**	**6 600**	**6 600**	**13 200**		**0**
F	**Operating expenditures**			**1 179 000**	**1 032 315**	**1 232 700**	**1 251 511**	**1 415 700**	**1 315 200**	**1 319 680**	**1 334 039**	**2 653 700**		**11 650**
1	Maintenance of premises including security	675 000	679 497	698 300	745 765	815 000	921 045	1 032 000	958 700	970 539	982 505	1 953 000		17 800

Part/ sect.	Object of expenditure	Approved budget 2001	Performance 2001	Approved budget 2002	Performance 2002	Approved budget 2003	Performance 2003	Approved budget 2004	Approved budget 2004	Proposed budget 2005	Proposed budget 2006	Proposed budget 2005-2006	fn	Annual decrease/ increase[c]
		In United States dollars							In euros					
2	Rental and maintenance of equipment	207 000	195 898	207 000	138 119	200 000	188 535	177 500	164 900	165 213	167 361	332 600		1 400
3	Communications	146 000	82 762	146 000	69 429	115 000	67 443	103 500	96 200	91 340	91 340	182 700		-4 850
4	Miscellaneous services and charges (including bank charges)	25 000	18 402	25 000	19 773	20 000	15 915	20 000	18 600	18 822	19 067	37 900		350
5	Supplies and materials	85 000	40 274	85 000	45 729	65 000	40 873	65 000	60 400	57 366	57 366	114 700		-3 050
6	Special services (external audit)	15 400	13 100	17 700	13 500	17 700	17 700	17 700	16 400	16 400	16 400	32 800		0
G	**Library and related costs**			**199 600**	**194 374**	**175 000**	**164 928**	**175 000**	**162 600**	**157 450**	**159 497**	**317 000**		**-4 100**
1	Library — procurement of books and publications	60 000	59 755	75 000	74 432	120 000	114 266	120 000	111 500	112 950	114 418	227 400		2 200
2	External printing and binding	64 600	58 894	64 600	64 600	55 000	50 662	55 000	51 100	44 500	45 079	89 600		-6 300
3	Start-up costs of library	60 000	59 675	60 000	55 342									
II	**Non-recurrent expenditure**													
A	**Furniture and equipment**			**340 800**	**254 989**	**100 000**	**94 956**	**95 000**	**88 300**	**75 000**	**75 000**	**150 000**		**-13 300**
1	Purchase of equipment	248 000	222 397	310 000	237 610	100 000	94 956	95 000	88 300	75 000	75 000	150 000		-13 300
2	Purchase of special equipment	27 000	16 916	30 800	17 379									
III	**Case-related costs**	863 900	731 199	**894 300**	**411 909**									
A	**Judges**					**808 600**	**328 686**	**897 400**	**833 700**	**776 655**	**778 330**	**1 555 000**		**-56 200**
1	Special allowances					633 300	280 052	716 800	665 900	611 287	611 287	1 222 600		-54 600
2	Compensation to judges ad hoc					40 300	34 351	43 600	40 500	36 440	36 440	72 900		-4 050
3	Travel to meetings, including judges ad hoc					135 000	14 283	137 000	127 300	128 928	130 603	259 500		2 450

Part/ sect.	Object of expenditure	Approved budget 2001	Performance 2001	Approved budget 2002	Performance 2002	Approved budget 2003	Performance 2003	Approved budget 2004	Approved budget 2004	Proposed budget 2005	Proposed budget 2006	Proposed budget 2005-2006	fn	Annual decrease/ increase[c]
		In United States dollars							In euros					
B	**Staff costs**					**179 300**	**120 088**	**211 800**	**196 800**	**269 133**	**269 133**	**538 200**		**72 300**
1	Temporary assistance for meetings					179 300	120 088	197 800	183 800	246 610	246 610	493 200		62 800
2	Overtime							14 000	13 000	22 523	22 523	45 000		9 500
IV	**Working capital fund**	50 000	700 000	50 000	0	0	0	0	0			0		0
	Total	**8 090 900**	**7 591 902**	**7 807 500**	**6 985 807**	**7 798 300**	**7 696 421**	**8 039 000**	**7 468 400**	**7 659 198**	**7 842 356**	**15 506 500**		**284 850**

Rate of exchange United Nations exchange rate for March 2004
US$ 1 = €0.804

[a] Budget information system, standard salary costs, Version 12, 2005, applicable to The Hague.
[b] Based on the percentage (41.14 per cent) of the net salary.
[c] Annual decrease/increase (50 per cent of the biennium budget).

Annex II

Professional staff of the Registry in 2005/2006

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
ASG	Registrar	1	198 828	147 609	51 219
D-2	Deputy Registrar	1	181 345	135 607	45 738
P-5	Head of Administration and Management	1	143 640	107 163	36 477
P-5	Head of Conference and Linguistic Services	1	143 640	107 163	36 477
P-4	Librarian	1	122 472	92 799	29 673
P-4	Head of Budget and Finance	1	122 472	92 799	29 673
P-4	Translator/Reviser	1	122 472	92 799	29 673
P-4	Legal Officer	2	244 945	185 598	59 347
P-3	Legal Officer/Information	1	86 279	67 661	18 618
P-3	Information Technology Officer	1	86 279	67 661	18 618
P-3	Translator	1	86 279	67 661	18 618
P-2	Contributions Officer/Budget	1	75 128	59 629	15 499
P-2	Associate Legal Officer/Research	1	75 128	59 629	15 499
P-2	Administrative Officer (Support/Building Management)	1	75 128	59 629	15 499
P-2	Archivist	1	75 128	59 629	15 499
P-2	Press Officer	1	75 128	59 629	15 499
	Total	**17**	**1 914 291**	**1 462 665**	**451 626**
	Total in euros		**1 724 773**	**1 317 865**	**406 908**
	Total for the biennium in euros		**3 449 546**	**2 635 730**	**813 816**

Note: Figures in United States dollars and euros are based on the standard salary costs, Version 12, applicable to The Hague.

Annex III

General Service staff of the Registry in 2005/2006

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
Principal level					
	Administrative Assistant (Personnel)	1	76 960	58 971	17 989
	Administrative Assistant (Procurement)	1	76 960	58 971	17 989
	Building Coordinator	1	76 960	58 971	17 989
	Computer Systems Assistant	1	76 960	58 971	17 989
	Publications/Personal Assistant (Registrar)	1	76 960	58 971	17 989
Other levels					
	Administrative Assistant	1	56 181	44 060	12 121
	Administrative Assistant (Contributions)	1	56 181	44 060	12 121
	Conference/Documentation Assistant	1	56 181	44 060	12 121
	Finance Assistant	1	56 181	44 060	12 121
	Finance Assistant (Accounts Payable)	1	56 181	44 060	12 121
	Library Assistant	1	56 181	44 060	12 121
	Linguistic Assistant/Judiciary Support	2	112 362	88 119	24 243
	Personnel Assistant	1	56 181	44 060	12 121
	Personal Assistant (Deputy Registrar)	1	56 181	44 060	12 121
	Personal Assistant (President)	1	56 181	44 060	12 121
	Receptionist	1	56 181	44 060	12 121
	Senior Security Officer/Building Superintendent	1	56 181	44 060	12 121
	Security Officer/Driver	2	112 362	88 119	24 243
	Total	**20**	**1 227 515**	**955 753**	**271 762**
	Total in euros		**1 105 990**	**861 133**	**244 857**
	Total for the biennium in euros		**2 211 980**	**1 722 266**	**489 714**

Note: Figures in United States dollars and euros are based on the standard salary costs, Version 12, applicable to The Hague.

Annex IV

Comparison of post requirements

POSTS
APPROVED FOR 2001

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
1	1		2	5	2	3	14	6	15	21	35

POSTS
APPROVED FOR 2002

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
1	1	0	2	5	3	3	15	6	15	21	36

POSTS
APPROVED FOR 2003

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
1	1	0	2	5	3	4	16	6	15	21	37

POSTS
APPROVED FOR 2004

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
1	1	0	2	5	3	4	16	6	15	21	37

POSTS
PROPOSED FOR 2005/2006

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
1	1	0	2	5	3	5	17	5	15	20	37

Annex V

Judges in 2005/2006 — judicial work not related to cases

			United States dollars	*In euros*
1.	Annual allowance	160,000 / 3 x 20	1 066 667	857 600
2.	Special allowance (20 days/based on 220 working days per annum)	160,000 / 3 / 220 x 20 x 20	96 970	77 964
3.	Subsistence allowance (28 days)	262 x 1.4 x 28 x 20	205 408	165 148
4.	Special allowance for preparatory work (10 days/based on 220 working days) authorized by the President	160,000 / 3 /220 x 20 x 20	48 485	38 982
5.	Subsistence allowance for preparatory work (7 days for 10 judges), to be authorized by the President	262 x 1.4 x 7 x 10	25 676	20 644
6.	President, annual allowance	160,000	160 000	128 640
7.	President, special allowance	15,000	15 000	12 060
8.	Vice-President's special allowances		9 400	7 558
	Total		**1 627 606**	**1 308 595**
	Total in euros for the biennial budget			**2 617 190**
	Total in euros for the biennial budget (rounded)			**2 617 200**
	Annual allowances (President and other Judges) biennial Total [Items 1, 6-8] in euros.			1 996 601
	Special allowances (including DSA) Biennial total [Items 2-5] in euros.			620 590

Note: DSA is determined by ICSC and is subject to change.

DSA rate in United States dollars 262 (plus 40% for judges)
DSA rate in euros 211 (plus 40% for judges)

United Nations exchange rate for March 2004 = 0.804

Annex VI

Judges' common costs in 2005/2006

	2005	*United States dollars*	*United States dollars*	*euros*
1.	President's common costs (based on past performance and estimates)			
	Repatriation grant[a]	30 000		
	Removal of household effects[b]	25 000		
	Assignment grant[a]	15 000		
	Travel on appointment/separation[c]	10 000	80 000	64 320
2.	Reimbursement of national taxes		24 876	20 000
3.	Insurance for work related accidents		6 965	5 600
	Total		**111 841**	**89 920**
	2006			
1.	President's common costs (based on past performance and estimates)			
	Home leave travel[d]	5 000	5 000	4 020
2.	Reimbursement of national taxes		24 876	20 000
3.	Insurance for work related accidents		6 965	5 600
	Total		**36 841**	**29 620**
	Total in euros for the biennial budget			**119 540**
	Total in euros for the biennial budget (rounded)			**119 500**

United Nations exchange rate for March 2004 = 0.804

[a] Based on the judge acting paid at the dependency rate.
[b] Based on two moves between Hamburg and non-European destinations.
[c] Based on travel by the former and new Presidents and their spouses between Hamburg and non-European destinations.
[d] Based on a round trip by the President and his spouse between Hamburg and a non-European destination.

Annex VII

A. Case-related costs in 2005

Judicial work related to cases

		United States dollars	*Euros*
Judges			
1. Special allowance (42 days/based on 220 working days per annum)[a]	160,000/3/220 x 42 x 20	203 636	163 723
2. Subsistence allowance (44 days)[b]	262 x 1.4 x 44 x 20	322 784	259 518
3. Special allowance for preparatory work, to be authorized by the President (35 days/based on 220 working days per annum)[c]	160,000/3/220 x 35 x 20	169 697	136 436
4. Subsistence allowance for preparatory work, to be authorized by the President (17.5 days for 10 judges)[d]	262 x 1.4 x 17.5 x 10	64 190	51 609
5. Compensation for two judges ad hoc[e]		45 323	36 440
6. Travel of judges (incl. two judges ad hoc)		160 358	128 928
Staff costs			
7. Temporary assistance for meetings		306 729	246 610
8. Overtime		28 014	22 523
Total		**1 300 731**	**1 045 787**

[a] 6 weeks based on 7 days.
[b] 6 weeks based on 7 days plus travel days.
[c] 5 weeks based on 7 days (based on ratio determined by the Meeting of States Parties).
[d] 2.5 weeks based on 7 days.
[e] Includes 38.5 days of annual allowance, 21 days of special allowance, 17.5 days of special allowance for preparatory work, 21 days of subsistence allowance per judge ad hoc.

Note: DSA is determined by ICSC and is subject to change.
DSA rate in United States dollars 262 (plus 40 per cent for judges).
DSA rate in euros 211 (plus 40 per cent for judges).
United Nations exchange rate for March 2004 = 0.804 €/$.

B. Case-related costs in 2006

Judicial work related to cases

		United States dollars	*Euros*
Judges			
1. Special allowance (42 days/based on 220 working days per annum)[a]	160,000/3/220 x 42 x 20	203 636	163 723
2. Subsistence allowance (44 days)[b]	262 x 1.4 x 44 x 20	322 784	259 518
3. Special allowance for preparatory work, to be authorized by the President (35 days/based on 220 working days per annum)[c]	160,000/3/220 x 35 x 20	169 697	136 436
4. Subsistence allowance for preparatory work, to be authorized by the President (17.5 days for 10 judges)[d]	262 x 1.4 x 17.5 x 10	64 190	51 609
5. Compensation for two judges ad hoc[e]		45 323	36 440
6. Travel of judges (incl. two judges ad hoc)		162 442	130 603
Staff costs			
7. Temporary assistance for meetings		306 729	246 610
8. Overtime		28 014	22 523
Total 2005		**1 300 731**	**1 045 787**
Total 2006		**1 302 815**	**1 047 462**
Total for the biennial budget		**2 603 546**	**2 093 249**
Total in euros for the biennial budget (rounded)			**2 093 200**

[a] 6 weeks based on 7 days.
[b] 6 weeks based on 7 days plus travel days.
[c] 5 weeks based on 7 days (based on ratio determined by the Meeting of States Parties).
[d] 2.5 weeks based on 7 days.
[e] Includes 38.5 days of annual allowance, 21 days of special allowance, 17.5 days of special allowance for preparatory work, 21 days of subsistence allowance per judge ad hoc.

Note: DSA is determined by ICSC and is subject to change.
DSA rate in United States dollars 262 (plus 40 per cent for judges).
DSA rate in euros 211 (plus 40 per cent for judges).
United Nations exchange rate for March 2004 = 0.804 €/$.

Annex VIII

Judges' pension scheme in 2005/2006

	United States dollars	*Euros*
2005		
Pension for two retired judges and two surviving spouses	67 740	54 463
Pension provision for seven judges including two former Presidents, for 3 months[a]	92 142	74 082
Total	**159 882**	**128 545**
2006		
Pension for two retired judges and two surviving spouses	67 740	54 463
Pension provision for seven judges, including two former Presidents, for 12 months[a]	368 568	296 329
Total	**436 308**	**350 792**
Total for the biennial budget	**596 190**	**479 337**
Total in euros for the biennial budget (rounded)		**479 300**

[a] See paragraph 37 of the draft proposals.
United Nations exchange rate for March 2004 = 0.804 €/$.

Annex IX

Maintenance of premises in 2005/2006

	Budget 2004 (In euros)	*Budget 2005 (In euros)*	*Budget 2006 (In euros)*
I. Facility management			
1. Facility management			
1.1 Technical facility management	44 863	45 446	46 037
1.2 Commercial facility management	21 523	21 803	22 086
2. Infrastructure services			
2.1 Gardening services	45 267	45 855	46 451
2.2 Janitorial services	60 254	61 037	61 830
2.3 Cleaning services			
2.3.1 Building cleaning services	133 620	135 357	137 117
2.3.2 Cleaning of windows and panes of glass	62 005	62 811	63 628
2.3.3 Daily service staff	5 019	5 084	5 150
2.3.4 Consumable supplies	6 340	6 422	6 505
2.3.5 Basic cleaning of outdoor basins	0	0	0
2.4 Services during winter time	1 677	1 699	1 721
2.5 Waste management	2 502	2 535	2 568
2.6 Supply services	2 502	2 535	2 568
2.7 Cleaning of the facade	2 905	2 943	2 981
3. Facility management			
3.1 Information technology licences and support	7 982	8 086	8 191
Subtotal	**396 459**	**401 613**	**406 833**
Consumables supplies/additional cleaning	7 757	7 858	7 960
Filter	4 334	4 390	4 447
Salt and chemicals for reflecting basins	1 596	1 617	1 638
Consumables supplies, janitorial services (small parts)	7 671	7 771	7 872
II. Maintenance supplies	**21 358**	**21 636**	**21 917**
Gas supplies	64 451	63 263	64 085
Power supplies	93 677	94 895	96 129
Water supplies	15 803	16 008	16 216
III. Utilities (Electricity, gas and water)	**171 931**	**174 166**	**176 430**
Listed maintenance contracts	152 520	154 503	156 512
Cleaning Recooling System	2 496	2 528	2 561
IV. Maintenance contracts	**155 016**	**157 031**	**159 073**
V. Contents and third party liability insurance	**26 272**	**26 614**	**26 960**
VI. Minor repairs (maximum of euros 1,000 each)[a]	**50 000**	**50 000**	**50 000**
4. Security services (24 hours)	137 689	139 479	141 292
Total	**958 725**	**970 539**	**982 505**
Total for the biennial budget (rounded)			**1 953 000**

[a] As provided for in the Premises Agreement.

Annex X

Common staff costs 2005/2006 in euros

Estimate for common staff costs (Based on actual costs and estimated requirements)	
Contributions to the United Nations Joint Staff Pension Fund	433 728.00
Dependency allowance	50 952.00
Education grant[a]	88 000.00
Home leave[a]	25 325.00
Language allowance	10 296.00
Accident at work insurance	15 000.00
Medical insurance	125 880.00
Rental subsidy	65 400.00
Provision for staff rotation:[b]	
Professional category (6.5 per cent)	85 663.50
General Service category (3.1 per cent)	26 694.10
Miscellaneous (ex gratia payments, including cancellation of leave)	1 000.00
Total in euros	**927 938.60**
For information	
Established posts, net	2 178 998.00
Common staff costs, 41.14 per cent	896 439.78

[a] Based on 2003 performance and projected expenses.

[b] Provision for expenses related to staff rotation based on the Advisory Committee on Administrative and Budgetary Questions vacancy rate.